

REMARKS

This is response to the Office Action mailed March 24, 2009, which sets a three-month shortened statutory period for response. Inasmuch as this response is filed by June 24, 2009, no fee should be due for its consideration.

Amendments to the Claims

Claims, 2, 4, 7, 8 and 9 have been withdrawn.

Claim 1 has been amended by adding the language: "wherein the composition comprises from about 25 wt% to 100 wt% of the cycloaliphatic epoxy resins". Support of this amendment can be found on page 9, line 28 and page 10, line 1 of the Specification.

Claim 1 has been amended by adding the language: "wherein each of G₁₋₂₉ are independently hydrogen, phenyl, or substituted or unsubstituted alkyl or alkene moieties having from 1 to about 10 carbon atoms". Support of this amendment can be found on page 3, lines 14-15; page 4, lines 7-9; and page 8, lines 3-4 of the Specification.

Claims 1, 5 and 6 have been amended to add the word "process" in order to provide the proper dependency of the claims since Claims 5 and 6 depend on Claim 1 which is directed to a process.

No new matter has been added to the claims. It is believed that the amended claims overcome the objections and rejections of the Patent Office.

Restriction Requirement – 35 U.S.C. § 121 and § 372

The Office Action indicates that the claims are subject to restriction requirement, an election to which was made by Applicants' representative, Joe R. Prieto, during a telephone conversation on March 23, 2009. Applicants hereby affirm the election to prosecute Group I including Claims 1, 3, 5, and 6 and the first formula exhibited on page 8, line 8 of the Specification.

In addition, Applicants note that the withdrawn Claims, 2, 4, 7, 8 and 9 depend ultimately from independent Claim 1. Upon allowance of Claim 1, Applicants respectfully request rejoinder and reconsideration of withdrawn Claims 2, 4, 7, 8 and 9.

Claim Rejections – 35 U.S.C. § 112

Claims 1, 3, 5 and 6 stand rejected under 35 U.S.C. § 112, first paragraph, because not all of the substituents of the formula in Claim 1 were identified. Applicants believe that the amendments to the claims now enable one of ordinary skill in the art to practice the present invention. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Claims 1, 3, 5 and 6 stand rejected under 35 U.S.C. § 112, second paragraph, because not all of the substituents of the formula in Claim 1 were identified. Applicants believe that the claims as amended are now definite to one of ordinary skill in the art and clearly points out the present invention. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 3, 5 and 6 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,437,045 issued to Rickert et al. (herein “Rickert”) or the Journal of Polymer Science: Part A: Polymer Chemistry article by Wang et al. (herein “Wang”) or U.S. Patent No. 5,187,198 issued to Nishida et al. (herein “Nishida”). Applicants respectfully traverse this rejection.

Claims 1 and 6 stand rejected under 35 U.S.C. §102(b) or §102(e) as being anticipated by European Patent No 479,166 §102(b) or U.S. Patent No. 6,916,890 issued to Woods et al. (herein “Woods”) §102(e) or U.S. Patent No. 5,948,922 issued to Ober et al. (herein “Ober”). Applicants respectfully traverse this rejection.

None of the cited documents teach a composition that contains about 25 wt% to 100 wt% of the cycloaliphatic epoxy resins; and none of the cited documents teach the inclusion of either a photoinitiator or a thermally-activated initiator in the composition of the presently claimed invention.

Applicants believe that the claims, as now amended, are novel and overcome the above rejections. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claim 5 stands rejected under 35 U.S.C. §103(a) as allegedly obvious and unpatentable over Ober. Applicants respectfully traverse this rejection.

Claims 1, 3, 5 and 6 stand rejected under 35 U.S.C. §103(a) as allegedly obvious and unpatentable over European Patent No. 51,311. Applicants respectfully traverse this rejection.

In response to the above 35 U.S.C. § 103(a) rejection, Applicants note that while the cited art may include some of the particular elements of Applicants claimed invention, when the cited art is considered as a whole, the present invention is not suggested by the cited art. More particularly, as aforementioned, none of the cited references teach or suggest a critical element of the present invention, that is, the requirement of either a photoinitiator or a thermally-activated initiator in the compositions of the presently claimed invention, which is missing from the prior art compositions. The present composition and process are not obvious because the initiators claimed contribute to the toughness of the coating. In fact, the combined effects of the concentration of the cycloaliphatic epoxy resin (greater than 25%) and the ether linkages of the resins that will be formed during curing due to the presence of the particular initiators, will result in compositions having simultaneously (a) high flexibility, (b) high hardness and (c) improved thermal cycling resistance. These unexpected results overcome the problems of brittleness and cracking encountered by the prior art as described in page 1, lines 30-36 and page 2, lines 1-10 of the Specification. Accordingly, Applicants believe that the claims, as now amended, are not obvious to one of ordinary skill in the art; and Applicants respectfully request that this rejection be withdrawn.

In view of the foregoing remarks, Applicants respectfully submits that the application is patentable over the cited art. Favorable reconsideration of the application and an early notice of allowance is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

/Joe R. Prieto/

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